IN THE HIGH COURT OF JUDICATURE OF BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO. 472 of 1979

Sabira wd/o M.H. Moden .. Plaintiff

versus

Bijibal widow of Ali Mohammed & ors... Defendants

...

Mr.Ajay Fernandes with Jayesh Vyas i/b Bilawala & Co. for the plaintiff.

Mr.S.A. Bhalwal for the defendant nos.2 to 5.

CORAM : D.G. KARNIK,J.

DATED : 7th July 2005.

P.C.:

1. Plaintiff is not present in the Court. Pw no.1 who had filed an affidavit in the Court was not present in the Court for cross-examination. on 26th June 2005 when the affidavit was tendered.

2. At the request of the learned counsel for

the plaintiff, matter was adjourned from time to time from 28th June 2005 and on 30th June 2005. Today also, witness is absent. Plaintiff is also absent. Hence, suit of the plaintiff is dismissed under Order 9 Rule 8 of the Code of Civil Procedure.

D.G. KARNIK, J